IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 2764 of 2004(D)

PETITIONER:

E.M.MADHU,
ETTICKAL HOUSE, POONJAR.P.O.,
MEENACHIL TALUK,
KOTTAYAM DISTRICT.

BY ADV. SRI.BIJU BALAKRISHNAN

RESPONDENTS:

1. **THE DISTRICT COLLECTOR,**
   COLLECTRATE, KOTTAYAM.

2. **TAHSILDAR, MEENACHIL TALUK,**
   MEENACHIL TALUK OFFICE,
   KOTTAYAM DISTRICT.

3. **THE VILLAGE OFFICER,**
   POONJAR THEKKEKKARA,
   KOTTAYAM DISTRICT.

4. **JOSEPH, S/O.VARKEY,**
   VATTATHU HOUSE,
   POONJAR THEKKEKKARA,
   MEENACHIL TALUK, KOTTAYAM DISTRICT.

5. **CHINNAMMA JOSEPH, W/O.JOSEPH,**
   VATTATHU HOUSE, POONJAR THEKKEKKARA,
   MEENACHIL TALUK, KOOTTAYAM DISTRICT.

6. **POONJAR GRAMA PANCHAYAT,**
   REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.P.N.PURUSHOTHAMA KAIMAL --- R6
SRI.M.J.THOMAS -- R4 AND R5
GOVERNMENT PLEADER SRI. MANOJ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 2764/2004 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE APPLICATION UNDER FORM NO. 5, DT. 2/08/02 BY THE PETITIONER BEFORE THE R2.

EXT.P2. COPY OF THE APPLICATION UNDER FORM NO. 17, DT. 2/08/2002, BY THE PETITIONER BEFORE THE R2.

EXT.P3. COPY OF THE REPORT DT. 16/11/2002 OF THE R3.

EXT.P4. COPY OF THE SKETCH OF THE PROPOSED AREA TO ESTABLISH THE QUARRY, PREPARED BY THE R3.

EXT.P5. COPY OF THE JUDGEMENT DT. 28/11/2002 IN OP NO. 35025/02 OF THIS COURT.

EXT.P6. COPY OF THE JUDGMENT DT. 10/4/2003 IN OP NO. 12929/03 OF THIS COURT.

EXT.P7. COPY OF THE LETTER DT. 30/09/2003, BY THE R1 TO THE PETITIONER'S COUNSEL.

EXT.P8. COPY OF THE REPRESENTATION DT. 3/12/2003 BY THE PETITIONER BEFORE THE R6.

True copy

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KURIAN JOSEPH J.

W.P.(C) No.2764 of 2004

Dated 4th July, 2007.

J U D G M E N T

Petitioner is aggrieved since the first respondent District Collector has not so far taken any action in the matter of Form 22 Explosive Licence. In Ext.P6 judgment, this Court directed the District Collector to dispose of the application after affording an opportunity for hearing to the affected parties also. In Ext.P7 reply it is stated that the report of the Tahsildar is awaited. Be that as it may, since three years have elapsed, there will be a direction to the first respondent to take appropriate action on the application filed by the petitioner with notice to the petitioner and respondents 4 to 6 in accordance with law, if not already taken, within three months from the date of production of a copy of the judgment.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 4th July, 2007.